

# Daily Digest

## HIGHLIGHTS

Senate agreed to the Conference Report to accompany H.R. 4520, American Jobs Creation Act.

Senate agreed to the Conference Report to accompany H.R. 4837, Military Construction Appropriations.

Senate agreed to the Conference Report to accompany H.R. 4567, Homeland Security Appropriations.

## Senate

### Chamber Action

#### *Routine Proceedings, pages S11191–S11334*

**Measures Introduced:** Four bills and five resolutions were introduced, as follows: S. 2976–2979, S. Res. 464–467, and S. Con. Res. 144. **Page S11305**

#### **Measures Reported:**

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2005”. (S. Rept. No. 108–398)

S. 480, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996. (S. Rept. No. 108–399)

S. 2280, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration. (S. Rept. No. 108–400)

S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities. (S. Rept. No. 108–401)

S. 2489, to establish a program within the National Oceanic and Atmospheric Administration to integrate Federal coastal and ocean mapping activities, with an amendment in the nature of a substitute. (S. Rept. No. 108–402) **Pages S11304–05**

#### **Measures Passed:**

***Guardsmen and Reservists Financial Relief Act:*** Pursuant to the order of October 10, 2004, Com-

mittee on Finance was discharged from further consideration of H.R. 1779, to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans during the period that a military reservist or national guardsman is called to active duty for an extended period, and the bill was then passed, after striking all after the enacting clause, and agreeing to the following amendment proposed thereto: **Page S11222**

Landrieu Amendment No. 4061, in the nature of a substitute. **Page S11222**

***Refundable Tax Credits:*** Senate agreed to S. Res. 464, relating to refundable tax credits for municipalities. **Pages S11222–23**

***Enrollment Correction:*** Senate agreed to S. Con. Res. 144, to correct the enrollment of H.R. 4837. **Pages S11228–29**

***Instructing Conferees:*** Senate agreed to S. Res. 465, to instruct conferees to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, 2005 or on a consolidated appropriations measure that includes the substance of that Act. **Page S11229**

***Homeownership Opportunities for Native Americans Act:*** Committee on Indian Affairs was discharged from further consideration of S. 2571, to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996, and the bill was then passed. **Page S11251**

***Homeownership Opportunities for Native Americans Act:*** Committee on Indian Affairs was discharged from further consideration of H.R. 4471, to clarify the loan guarantee authority under title VI of

the Native American Housing Assistance and Self-Determination Act of 1996, and the bill was then passed, clearing the measure for the President.

Page S11251

**Unaccompanied Alien Child Protection Act:** Senate passed S. 1129, to provide for the protection of unaccompanied alien children, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S11251–60

Sessions (for Feinstein) Amendment No. 4058, in the nature of a substitute.

Page S11260

**Controlled Substances Act Amendment:** Senate passed S. 2976, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices.

Pages S11260–61

**2004 District of Columbia Omnibus Authorization Act:** Committee on Governmental Affairs was discharged from further consideration of H.R. 3797, to authorize improvements in the operations of the government of the District of Columbia, and the bill was then passed, clearing the measure for the President.

Page S11267

**Intelligence Authorization Act for Fiscal Year 2005:** Senate passed S. 2386, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, after agreeing to the Armed Services Committee amendments, and the following amendments proposed thereto:

Pages S11267–71

Sessions (for Roberts/Rockefeller) Amendment No. 4059, to strike section 306, relating to a repeal of the limitation on the length of service as a member of the Select Committee on Intelligence of the Senate.

Page S11271

Sessions (for Roberts/Rockefeller) Amendment No. 4060, to improve the bill.

Page S11271

**Immigration and Nationality Act Amendment:** Senate passed H.R. 4306, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment, clearing the measure for the President.

Page S11271

**JFK Center for the Performing Arts Authorization:** Senate passed H.R. 5294, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, clearing the measure for the President.

Page S11271

**Physician Access Improvement:** Senate passed S. 2302, to improve access to physicians in medically underserved areas, after agreeing to the committee amendment in the nature of a substitute.

Pages S11271–72

**International Polar Years/International Geophysical Year:** Senate agreed to S. Res. 466, celebrating the anniversaries of the International Polar Years (1882–1883 and 1932–1933) and International Geophysical Year (1957–1958) and supporting a continuation of this international science year tradition in 2007–2008.

Pages S11323–24

**Honoring United Flight 93 Passengers and Crew:** Committee on Rules and Administration was discharged from further consideration of S. Con. Res. 136, honoring and memorializing the passengers and crew of United Airlines Flight 93, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto:

Pages S11324–25

Frist (for Conrad) Amendment No. 4062, to improve the language relating to the memorial.

Pages S11324–25

**American Veterans Disabled for Life Commemorative Coin Act:** Senate passed S. 1379, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life serving in the Armed Forces of the United States, after agreeing to the committee amendment in the nature of a substitute.

Pages S11325–26

**Asthmatic Schoolchildren's Treatment and Health Management Act:** Senate passed H.R. 2023, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis, clearing the measure for the President.

Page S11326

**National Estuary Program Authorization:** Senate passed H.R. 4731, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, clearing the measure for the President.

Page S11326

**Federal Regulatory Improvement Act:** Senate passed H.R. 4917, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2005, 2006, and 2007, clearing the measure for the President.

Page S11326

**National Archives and Records Administration Efficiency Act:** Committee on Governmental Affairs was discharged from further consideration of H.R. 3478, to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration and to reauthorize the National Historical Publications and

Records Commission, and the bill was then passed, clearing the measure for the President.

**Pages S11326–27**

**Executive Branch Financial Accountability Reporting Act:** Senate passed S. 2688, to provide for a report of Federal entities without annually audited financial statements, after agreeing to the following amendment proposed thereto:

**Page S11327**

Frist (for Fitzgerald) Amendment No. 4063, to make certain revisions to the bill.

**Page S11327**

**Long Island Sound Stewardship Act:** Committee on Environment and Public Works was discharged from further consideration of S. 2691, to establish the Long Island Sound Stewardship Initiative, and the bill was then passed, after agreeing to the following amendment proposed thereto:

**Page S11327**

Frist (for Lieberman) Amendment No. 4064, in the nature of a substitute.

**Page S11327**

**Water Resources Act Authorization:** Committee on Environment and Public Works was discharged from further consideration of S. 2847, to reauthorize the Water Resources Act of 1984, and the bill was then passed.

**Page S11327**

**John H. Chafee Coast Barrier Boundary Clarification:** Committee on Environment and Public Works was discharged from further consideration of H.R. 3056, to clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Keys Unit P25 on Otherwise Protected Area P25P, and the bill was then passed, clearing the measure for the President.

**Page S11327**

**Private Relief:** Committee on the Judiciary was discharged from further consideration of H.R. 712, for the relief of Richi James Lesley, and the bill was then passed, clearing the measure for the President.

**Page S11327**

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 2042, for the relief of Rocco A. Trecoasta of Fort Lauderdale, Florida, and the bill was then passed.

**Pages S11327–28**

**Private Relief:** Senate passed S. 2331, for the relief of Fereshteh Sani.

**Page S11329**

**Private Relief:** Senate passed S. 353, for the relief of Denes and Gyorgyi Fulop.

**Page S11328**

**Private Relief:** Senate passed S. 1042, for the relief of Tchisou Tho.

**Page S11328**

**Private Relief:** Senate passed S. 2044, for the relief of Alemseghed Mussie Tesfamical.

**Page S11328**

**Private Relief:** Senate passed S. 2314, for the relief of Nabil Raja Dandan, Ketty Dandan, Souzi Dandan, Raja Nabil Dandan, and Sandra Dandan.

**Pages S11328–29**

**Private Relief:** Senate passed S. 2012, for the relief of Luay Lufti Hadad.

**Page S11328**

**Private Relief:** Senate passed H.R. 867, for the relief of Durrehshahwar Durrehshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan, clearing the measure for the President.

**Page S11329**

**Private Relief:** Senate passed S. 2668, for the relief of Griselda Lopez Negrete.

**Page S11329**

**National Tourette Syndrome Awareness Month:** Committee on the Judiciary was discharged from further consideration of S. Con. Res. 113, recognizing the importance of early diagnosis, proper treatment, and enhanced public awareness of Tourette Syndrome and supporting the goals and ideals of National Tourette Syndrome Awareness Month, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto:

**Pages S11329–30**

Frist (for Smith) Amendment No. 4065, in the nature of a substitute.

**Pages S11329–30**

Frist (for Smith) Amendment No. 4066, to amend the preamble.

**Pages S11329–30**

Frist (for Smith) Amendment No. 4067, to amend the title.

**Pages S11329–30**

**Extending Birthday Greetings:** Senate agreed to S. Res. 467, extending birthday greetings to Joseph Barbera on the occasion of his 100th birthday and designating March 2005 as “Animated Family Entertainment Month”.

**Page S11330**

**Federal Regulatory Improvement Act:** Senate passed S. 2979, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2005, 2006, and 2007.

**Page S11330**

**Land Conveyance:** Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of H.R. 3217, to provide for the conveyance of several small parcels of National Forest System land in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida, and the bill was then passed, clearing the measure for the President.

**Pages S11330–31**

**Commodity Credit Corporation Funds:** Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of S. 2856, to limit the transfer of certain Commodity Credit Corporation funds between conservation programs for technical assistance for the programs, and the bill was then passed.

**Page S11331**

**Intelligence Authorization Act:** Select Committee on Intelligence was discharged from further consideration of H.R. 4548, to authorize appropriations for

fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2386 (as passed), Senate companion measure, and the bill was then passed. **Pages S11331–32**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Roberts, Hatch, DeWine, Bond, Lott, Snowe, Hagel, Chambliss, Warner, Rockefeller, Levin, Feinstein, Wyden, Durbin, Bayh, Edwards, and Mikulski. **Page S11332**

**Agricultural Adjustment Act Amendment:** Senate passed H.R. 2984, to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears, clearing the measure for the President. **Page S11332**

**American Jobs Creation Act Conference Report:** By 69 yeas to 17 nays, 1 responding present (Vote No. 211), Senate agreed to the conference report to accompany H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, clearing the measure for the President.

**Pages S11191–S11222**

**Military Construction Appropriations Conference Report:** Pursuant to the order of October 10, 2004, Senate agreed to the conference report to accompany H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, clearing the measure for the President. **Pages S11223–28**

Prior to the adoption of the conference report, Senate vitiated the vote on the motion to invoke cloture thereon. **Page S11228**

**Homeland Security Appropriations Conference Report:** Pursuant to the order of October 10, 2004, Senate agreed to the conference report to accompany H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, clearing the measure for the President. **Pages S11229–32**

Prior to the adoption of the conference report, Senate vitiated the vote on the motion to invoke cloture thereon. **Page S11229**

**Idea Reauthorization:** Pursuant to the order of September 21, 2004, Senate insisted on its amendment

to H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees: Senators Gregg, Frist, Enzi, Alexander, Bond, DeWine, Roberts, Sessions, Ensign, Graham (SC), Warner, Kennedy, Dodd, Harkin, Mikulski, Jeffords, Bingaman, Murray, Reed, Edwards, and Clinton. **Page S11232**

**Mentally Ill Offender Treatment and Crime Reduction Act:** Senate concurred in the amendment of the House to S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, clearing the measure for the President. **Pages S11261–63**

**Nominations Confirmed:** Senate confirmed the following nominations:

7 Coast Guard nominations in the rank of admiral. Routine lists in the Coast Guard, Public Health Service. **Pages S11323, S11334**

**Nominations: Discharged:** The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Milton Aponte, of Florida, to be a Member of the National Council On Disability for a term expiring September 17, 2006. (Reappointment), which was sent to the Senate on May 20, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010. (Reappointment), which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Gerald Wayne Clough, of Georgia, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Kelvin Kay Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Louis J. Lanzerotti, of New Jersey, to be a Member of the National Science Board, National Science

Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Jon C. Strauss, of California, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Kathryn D. Sullivan, of Ohio, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010, which was sent to the Senate on September 23, 2004, from the Senate Committee on Health, Education, Labor, and Pensions.

Gregory E. Jackson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen

years, which was sent to the Senate on September 25, 2003, from the Senate Committee on Governmental Affairs.

Anna Escobedo Cabral, of Virginia, to be Treasurer of the United States, which was sent to the Senate on July 22, 2004, from the Senate Committee on Finance.

**Pages S11305, S11322**

**Additional Cosponsors:**

**Page S11305**

**Statements on Introduced Bills/Resolutions:**

**Pages S11305–11**

**Additional Statements:**

**Pages S11303–04**

**Amendments Submitted:**

**Pages S11311–21**

**Record Votes:** One record vote was taken today. (Total—211)

**Page S11222**

**Adjournment:** Senate convened at 10 a.m., and, in accordance with the provisions of H. Con. Res. 518, adjourned at 6:58 p.m., until 12 noon, on Tuesday, November 16, 2004 (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S11333–34.)

## *Committee Meetings*

No committee meetings were held.

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# House of Representatives

## *Chamber Action*

The House was not in session today.

## *Committee Meetings*

No committee meetings were held.